



# UNITED STATES PATENT AND TRADEMARK OFFICE

*mn*  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,113	03/25/2004	Peter Arthur Schade	2797P	8045
<div>29141      7590      07/10/2007 SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303</div>				
<div>EXAMINER SORRELL, ERON J</div>				
<div>ART UNIT      PAPER NUMBER 2182</div>				
<div>MAIL DATE      DELIVERY MODE 07/10/2007      PAPER</div>				

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/810,113	SCHADE, PETER ARTHUR	
	<b>Examiner</b>	<b>Art Unit</b>	
	Eron J. Sorrell	2182	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 May 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Drawings***

1. The drawings were received on 5/5/07. These drawings are acceptable.

***Examiner's Remarks***

2. The applicant's amendment to claims 3-5 are sufficient to overcome the 112-2<sup>nd</sup> paragraph rejection for lack of antecedent basis. The 112-2<sup>nd</sup> paragraph rejection on claim 5 for being unclear to Examiner is maintained herein and detailed below.

***Response to Arguments***

3. Applicant's arguments filed 5/5/07 have been fully considered but they are not persuasive.

The applicant presents a description of the invention in an attempt to distinguish the claims from the cited prior art. The description, however presents limitations that are not positively recited in the claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

4. Examples of some of the limitations in the description that are not claimed are noted below:

Art Unit: 2182

1) The single USB interface is utilized in a network where at least one dual port USB (DPUSB) connector is connected to either standard USB connectors or other DPUSB connectors (second full paragraph of page 11);

2) The computer being part of two networks, network 1 which has the computer as a host, and network 2 which has the computer as a device (see lines 1-3 of page 12);

5. The applicant also argues that Shu fails to teach the device can act as a USB host and that the USB host port and USB peripheral port are both active at the same time coupled to the same processing system.

The Examiner disagrees. The claims do not require the device to be able to act as a USB host. The claimed device is merely an interface. Shu does teach USB host port and peripheral port are both active at the same time and coupled to the same processing system (see lines 23-27 of column 5, note the upstream and downstream devices are allowed to communicate with each other, note the device is connected to a single computer). Shu also teaches the host and peripheral are ports are defined using predetermined signals (see lines 27-47 of column 3).

Art Unit: 2182

***Specification***

6. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: claim 13 recites the term "USB root hub" however, the terminology is not found in the specification.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Referring to claim 5, the limitation of "wherein a device only needs one physical I/O port via the single USB interface" is unclear to the Examiner. It appears as if the claim is missing language. Perhaps the applicant intended the claim to recite that the device only needs one physical port to **communicate** via the connector (emphasis added)." Appropriate correction is required.

Art Unit: 2182

9. In the interest of compact prosecution, claim 5 will be interpreted as best understood by the Examiner.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1 and 3-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Shu (U.S. Patent No. 6,058,441).

12. Referring to claim 1, Shu teaches a single USB interface (item 100 in figure 1) comprising:

a USB host port (item 11 in figure 1); and

a USB peripheral port (item 12 in figure 1 and ) wherein the USB peripheral port and the USB root hub host port are both active at the same time and coupled to the same processing system (see lines 23-27 of column 5, note the upstream and downstream devices are allowed to communicate with each other, note the device is connected to a single computer), wherein the

Art Unit: 2182

USB host port and the USB peripheral port are defined using predetermined signals (see lines 27-47 of column 3).

13. Referring to claims 3 and 4, Shu teaches the devices can be connected in a peer-to-peer connection, or a one-to-many via the host and/or peripheral ports (see lines 44-48 of column 2, note a single device can be connected to the host, or a chain of devices can be connected).

14. Referring to claim 5, Shu teaches a device only needs one physical port via the single USB interface (see items labeled "FUNCTION" in figure 6, each peripheral has one port for which to connect with the interface).

15. Referring to claim 6, Shu teaches the predetermined signals comprise host differential data lines and peripheral differential data lines (see lines 27-47 of column 3).

16. Referring to claim 7, Shu teaches a USB network comprising:  
a first device, (item 100 in figure 1); the first device includes a single USB interface the first interface including a USB root hub host port (item 11 in figure 1); and a USB peripheral port (item 12 in figure 1), wherein the USB host port

Art Unit: 2182

and the USB peripheral port are defined using predetermined signals (see lines 27-47 of column 3); and

a second device for communicating with the first device (see items labeled "FUNCTION" in figure 6, each peripheral has one port for which to connect with the interface), using the predetermined signals wherein the USB peripheral port and the USB root hub host port are both active at the same time and coupled to the same processing system (see lines 23-27 of column 5, note the upstream and downstream devices are allowed to communicate with each other, note the device is connected to a single computer).

17. Referring to claims 8 and 9, Shu teaches the predetermined signals are within the USB standard (see lines 27-47 of column 3).

18. Referring to claim 10, Shu teaches the first and second devices can be any of a camera, computer, PDA, laptop device, handheld device, printer, and cellular telephone (see lines 1-7 of column 4).



Art Unit: 2182

19. Referring to claim 11, Shu teaches the predetermined signals comprise host differential data lines and peripheral differential data lines (see lines 27-47 of column 3).

20. Referring to claim 12, Shu teaches a device comprising:

a processor (see item 20 in figure 1 and lines 48-52 of column 3) and a single computer USB interface (item 100 in figure 1) comprising a USB host port (item 11 in figure 1); and a USB peripheral port (item 12 in figure 1) wherein the USB peripheral port and the USB root hub host port are both active at the same time and coupled to the same host (see lines 23-27 of column 5, note the upstream and downstream devices are allowed to communicate with each other, note the device is connected to a single computer), wherein the USB root hub host port and the USB peripheral port are defined using predetermined signals (see lines 27-47 of column 3).

21. Referring to claim 13, Shu teaches the single computer USB interface requires a connection to only one physical I/O port if the device is coupled to a device with a connector that includes a USB host port and a USB peripheral port which are defined using the predetermined signals (see items labeled "FUNCTION" in

figure 6, each peripheral has one port for which to connect with the interface).

22. Referring to claim 14, Shu teaches the predetermined signals comprise host differential data lines and peripheral differential data lines (see lines 27-47 of column 3).

### ***Conclusion***

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J.

Art Unit: 2182

Sorrell whose telephone number is 571 272-4160. The examiner can normally be reached on Monday-Friday 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EJS  
6/27/2007

  
KIM HUYNH  
SUPERVISORY PATENT EXAMINER

7/3/07

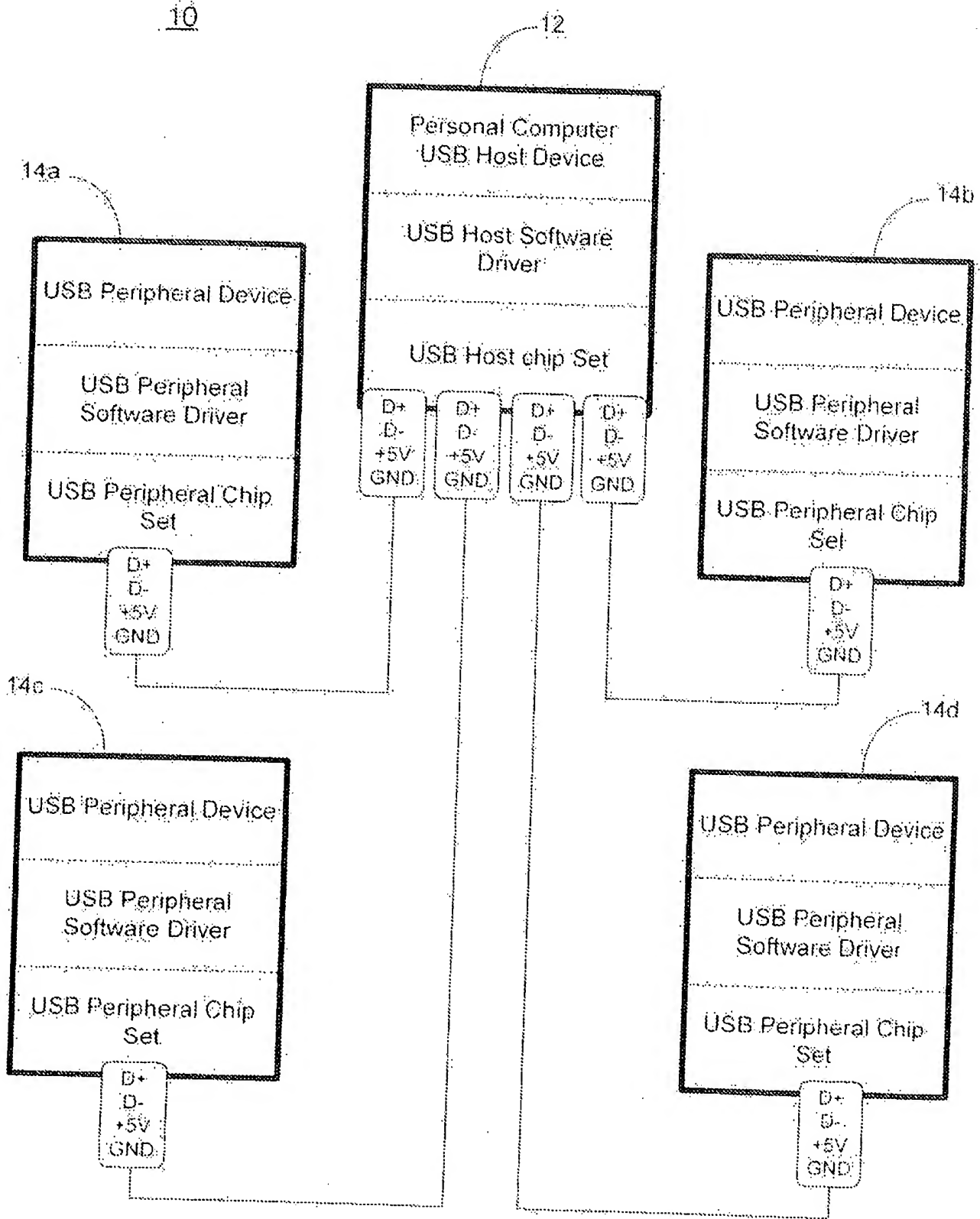


FIGURE 1  
(PRIOR ART)

*Drawings  
old  
ES  
6/27/07*